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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/220,293 12/23/98 BAER

W CA1028

EXAMINER

TM02/0508

SUGHRUE MION ZINN MACPEAK AND SEAS
1010 EL CAMINO REAL SUITE 360
MENLO PARK CA 94025

VEILLARD, J

ART UNIT

PAPER NUMBER

2171
DATE MAILED:

05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/220,293

Applicant(s)
William J. Baer et al.

Examiner
Jacques Veillard

Group Art Unit
2171



☒ Responsive to communication(s) filed on Dec 23, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-31 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 10-31 is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification Objections

2. Applicant recites with only titles of a number of related applications at page 1. Please, update the status of these related applications with the U.S. Applications serial numbers. See 37 CFR 1.78(a)(2) - MPEP 201.11. Appropriate correction is requested.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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4. Claims 1- 4, 6, 10 - 11, 13, 17-18, 20, 24 - 25 and 29 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 6- 9, 12, 15 - 16, 19, 22 - 23 and 27, respectively, of copending Application No. 09/220,291. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the ambiguous distinction in meaning between mapping of assets and data stores, and customizing and extending interface functions.

This is a provisional obviousness-type double patenting rejection since the conflicting claims have not yet been patented.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1- 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Mullins (U. S. Patent 5,857,197).

As per claim 1, Mullins disclosed a similar flexibly adaptable asset management system for deploying asset management functions to a client application for manipulating assets (See Mullins's Fig.1, col.1, lines 5 -11, representing data, in a data store, and for dynamically

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customizing and extending interface functions (See Mullins's col.3, lines 65 - 67 to col.4, lines 1 - 3), as taught, the Mullins's system comprise: an asset manager server disposed between the client application and the data store (See Mullins's Fig.1, col.7, lines 39 - 67), the asset manager server including: at least one client adapter for providing the interface functions between the client application and the asset manager server (See Mullins's Fig.1, col.1, lines 52 - 61); and at least one schema adapter for mapping the assets to the data stored in the data store and for transferring the data to and from the data store in response to methods invoked in the at least one client adapter of the client application (See Mullins's col.3, lines 1 - 7 and col.4, lines 49 - 61), wherein, the at least one client adapter is flexibly adaptable (See Mullins's col.9, lines 34 - 47), thereby allowing the system to do one or more of handle different asset types and handle additional client applications (See Mullins col.7, lines 11 - 22).

As per claim 2, the limitations of "wherein the at least one schema adapter is specific to a particular one of the assets, an asset being meta data for a particular data type" as specified thereof is present in the proposed combination indicated above (See Mullins's col.3, lines 30 - 34).

As per claim 3, the limitations of "wherein the asset manager server further includes: at least one object oriented class, wherein an instance of the object oriented class encapsulates the data and associated behaviors for transferring between the at least one schema adapter and the

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client application through the at least one client adapter” as specified thereof is present in the proposed combination indicated above (See Mullins’s col.8, lines 18- 36).

As per claim 4, the limitations of “further comprising external services for providing a link between the at least one schema adapter and the data store” as specified thereof is present in the proposed combination indicated above (See Mullins’s col.4, lines 49 - 58).

As per claim 5, the limitations of “wherein the at least one schema adapter registers with the asset manager server by identifying ones of the at least one client adapter support by the at least one schema adapter, wherein the at least schema adapter implements the interface functions defined in the supported client adapter” as specified thereof is present in the proposed combination indicated above (See Mullins’s col.8, lines 30- 36).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mullins (U. S. Patent 5,857,197) in view of Ludwig et al.(U. S. Patent 6,006,230).

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As per claim 6, Mullins disclosed a similar flexibly adaptable asset management system and method for accessing data stores as objects, effecting a consistent interface to the data stores regardless of its underlying structure (See mullins's Abstract). Mullins does not explicitly disclosed the system includes the limitations of "wherein each of the at least one client adapter is identified by a unique identifier". However, Ludwig et al. disclosed a database client/server development system providing support for remote sessions with user-created application and executing objects across multiple tiers includes the limitations of "wherein each of the at least one client adapter is identified by a unique identifier" (See Ludwig et al.'s col.7, lines 59 - 61).

It would have been obvious to one ordinary skill in the art at the time the invention was made to use in Mullins system the method as taught by Ludwig because Ludwig method provide a mechanism for manipulating assets data by using a unique identifier from a database server tables, wherein the client(s) has the ability to insert or add new rows of data records into the table and, also can modify and/or delete existing record in the table.

As per claim 7, the limitations of "the limitations of "wherein the at least one schema adapter supports an asset type, identified by a unique identifier, which is associated with the particular one of the asset and corresponds to a file type" as specified thereof is present in the proposed combination indicated above (See Ludwig et al.'s col.7, lines 54 - 61).

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As per claim 8, the limitations of “wherein the at least one schema adapter supports multiple asset types, each of the asset types being identified by a unique identifier” as specified thereof is present in the proposed combination indicated above (See Ludwig et al.’s col. 11, lines 51 - 59).

As per claim 9, the limitations of “further comprising implementing a parser for extracting properties and associated values from files stored in the data store” as specified thereof is present in the proposed combination indicated above (See Ludwig et al.’s col. 8, lines 1 - 12).

Allowable Subject Matter

9. Claims 10 - 31 allowed.

10. The following is a statement of reasons for the indication of allowable subject matter:

Applicant disclosed a program storage device readable by a computer, tangibly embodying a program of instructions executable by the computer to perform method steps for flexibly adapting an asset management system for deploying asset management functions to a client application for manipulating assets, representing data, in a data store, and for dynamically customizing and extending interface functions, the method comprising “creating a new client adapter by: defining user interactions of the client application with the asset manager server to be performed by the new client adapter; defining an application programming interface for the

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new client adapter to encapsulate functionality to facilitate the user interactions; defining a load time interface for the new client adapter; and defining a run time interface for the new client adapter" as recited in independent claims 10, 17 and 24 and as described in Applicant's specification (page 8, lines 15 -30 through page 11, lines 1 - 16) in combination with the other limitations of claims dependent of independent claims 10, 17 and 24, were not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record. Therefoe, claims 11-16, 18-23 and 25-31 are also allowable as dependent of independent claims 10, 17 and 24.

Other Prior Made of Record

11. Cantin et al. (U. S. Patent 5,729,739) for disclosed a system for mapping data between a selected object and a persistent medium in an object-oriented computer system with abstract schema mapper.

Golshani et al. (U. S. Patent 5,850,631) for disclosed a method executed by a computer system for providing a visual interface for specifying relationships and correspondance between two graphically displayed database schemas in object-oriented form.

Pettus (U. S. Patent 5,548,723) for disclosed a novel object-oriented client/server facility and networking protocol configuration system utilizing a dynamically configurable protocol stack.

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Roberson (U. S. Patent 6,016,496) for disclosed a method and apparatus for creating an object-oriented object with the facility to retrieve database type information from either a local source, or a remote source...

Gustman (U. S. Patent 5,832,499) for disclosed a digital library system includes a data capture mechanism with a data transfer, an asset management system for access and storage management of data, and a distribution system for distributing the data and system functionality.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. **Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 305-9051 (for formal communication intended for entry)

Or:

(703) 308- 5357 (for informal of draft communications, please label "PROPOSED

or "DRAFT")

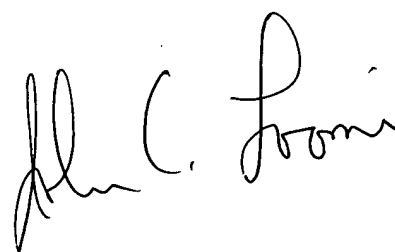
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Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-9707. The fax phone number for this group is (703) 308-5403.

**JOHN C. LOOMIS
PATENT EXAMINER
GROUP 2600**



Jacques Veillard

April 24, 2001